

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

TONY ALAN WILLIAMS,

Plaintiff,

v.

No. 19-cv-468 MV/KBM

GEO GROUP INC., *et al*,

Defendants.

**ORDER ADDRESSING *PRO SE* MOTIONS**

This matter is before the Court on Plaintiff's *pro se* motions (Docs. 7, 8, 9, and 11) filed in support of his Prisoner Civil Rights Complaint. Plaintiff seeks leave to file an amended complaint; leave to proceed *in forma pauperis*; court-supplied service of his Complaint; and entry of a default judgment. The Motion to Amend attaches Plaintiff's proposed amended complaint, which appears on the proper 42 U.S.C. § 1983 form. The Court will grant that motion (Doc. 7) and direct the Clerk's Office to file the amended complaint as a separate docket entry. The amended complaint is still subject to screening, as explained in the prior Order Regarding Initial Review (Doc. 4).

As to the request to proceed *in forma pauperis*, the Court notes that Defendant GEO Group prepaid the full filing fee upon removal. To the extent Plaintiff seeks other benefits of *in forma pauperis* status, such as court-supplied service if the claims survive initial review, the Court will grant the Motion to Proceed *In Forma Pauperis* (Doc. 8). However, because the claims have not yet been reviewed and Defendants are not yet obligated to file an answer, the Court will deny the Motion to Serve Defendants (Doc. 9) and the Motion for Default Judgment (Doc. 11) as premature. The Court will automatically handle service if the amended complaint survives screening. If any defendants are served and fail to answer, Plaintiff may renew his request for a default judgment.

In researching Plaintiff's motions and claims, the Court also discovered he does not appear on the New Mexico Department of Corrections Inmate Locator website. *See* <https://search.cd.nm.gov/index.html>. It appears Plaintiff may have been transferred or released from custody without providing an updated address, as required by D.N.M. LR-Civ. 83.6. The Court will therefore require Plaintiff to notify the Clerk in writing of his address within thirty (30) days of entry of this Order or show cause why this action should not be dismissed for failure to prosecute. *See Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) ("It is incumbent on litigants, even those proceeding *pro se*, to follow the federal rules of procedure .... The same is true of simple, nonburdensome local rules...."). The failure to timely provide a current address will result in dismissal of this action without prejudice and/or further notice.

**IT IS ORDERED** that the Motion for Leave to File an Amended Complaint (**Doc. 7**) is **GRANTED**; and the Clerk's Office shall **FILE** the Amended Complaint attached to the Motion (**Doc. 7 at 5-26**) as a separate docket entry.

**IT FURTHER ORDERED** that the Motion for Leave to Proceed *In Forma Pauperis* (**Doc. 8**) is **GRANTED**; and the Motions to Serve Defendants (**Doc. 9**) and for Default Judgment (**Doc. 11**) are **DENIED** as premature.

**IT IS FINALLY ORDERED** that within thirty (30) days of entry of this Order, Plaintiff must provide his current address or show cause why this action should not be dismissed.

  
UNITED STATES MAGISTRATE JUDGE